

### **BERESKIN & PARR**

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# DECLARATION (37 CFR 1.63) FOR UTILITY OR DESIGN APPLICATION USING AN **APPLICATION DATA SHEET (37 CFR 1.76)**

This declaration	n is direc	ted to:		
		The attached application, o	r	
		Application No. 09/854,362		May 15, 2001
	] as ame	nded on	(if applies	able):
I/we believe the which a paten	nat I/we ai t is sough	m/are the original and first in it;	ventor(s) of the subject r	matter which is claimed and for
I/ we have rev amended by a	riewed and iny amend	d understand the contents of diment specifically referred to	the above-identified apparance;	olication, including the claims, as
became availa	ble betwe	en the filing date of the pri	or application and the	emark Office all information known luding material information which lational or PCT International filing
		i applica	ole, allu	
All statements belief are belief false statemen jeopardize the	made he eved to be ts and the validity of	erein of my/own knowledge e true, and further that thes e like are punishable by fine of the application or any paten	are true, all statements	made herein on information and
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All statements belief are belief fare belief fare belief false statement jeopardize the FULL NAME Of Inventor one:  Signature:  Inventor two:  Signature:  Inventor three:	made he eved to bots and the validity of FINVEN	erein of my/own knowledge e true, and further that these like are punishable by fine the application or any paten	are true, all statements se statements were mader imprisonment, or both t issuing thereon.  Citizen of: United S  Citizen of:	made herein on information and with the knowledge that willfunder 18 U.S.C. 1001, and may
All statements belief are belief are belief false statement jeopardize the FULL NAME Of Inventor one:  Signature:	made he eved to bots and the validity of FINVEN	erein of my/own knowledge e true, and further that these like are punishable by fine the application or any paten	are true, all statements se statements were mader imprisonment, or both t issuing thereon.  Citizen of: United S  Citizen of:	made herein on information and de with the knowledge that willfun, under 18 U.S.C. 1001, and may

to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.63. The information is used by the public to file (and the PTO depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief TO: Assistant Commissioner for Patents, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND



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# DECLARATION (37 CFR 1.63) FOR UTILITY OR DESIGN APPLICATION USING AN **APPLICATION DATA SHEET (37 CFR 1.76)**

This declaration is directed to:    The attached application, or   Application No.   filed on   (if applicable);    Application No.   (if applicable);    Application No.   (if applicable);    We believe that I/we am/are the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought;    We have reviewed and understand the contents of the above-identified application, including the claims, as amended by any amendment specifically referred to above;    I/we acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me/us to be material to patentability as defined in 37 CFR 1.56, including material information which became available between the filling date of the prior application and the National or PCT International filling date of the continuation-in-part application, if applicable; and    All statements made herein of my/own knowledge are true, all statements made herein on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and may jeopardize the validity of the application or any patent issuing thereon.    FULL NAME OF INVENTOR(S)	As the below named inven	ntor(s), I/we declare that:		
Application No	This declaration is directed	l to:		
Application No		he attached application of		
as amended on			<b>6</b> 1. 1	
I/we believe that I/we am/are the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought;  I/ we have reviewed and understand the contents of the above-identified application, including the claims, as amended by any amendment specifically referred to above;  I/we acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me/us to be material to patentability as defined in 37 CFR 1.56, including material information which became available between the filing date of the prior application and the National or PCT International filing date of the continuation-in-part application, if applicable; and  All statements made herein of my/own knowledge are true, all statements made herein on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and may jeopardize the validity of the application or any patent issuing thereon.  FULL NAME OF INVENTOR(S)  Inventor one: David G. Frank  Signature: Citizen of: Canada  Inventor three: Lawrence Eugene Frisch  Signature: Citizen of: United States of America  Inventor four: William Gordon Bradford	☐ as amendo	od on	, filed on,	
I/ we have reviewed and understand the contents of the above-identified application, including the claims, as amended by any amendment specifically referred to above;  I/we acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me/us to be material to patentability as defined in 37 CFR 1.56, including material information which became available between the filing date of the prior application and the National or PCT International filing date of the continuation-in-part application, if applicable; and  All statements made herein of my/own knowledge are true, all statements made herein on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and may jeopardize the validity of the application or any patent issuing thereon.  FULL NAME OF INVENTOR(S)  Inventor one: David G. Frank  Citizen of: Canada  Inventor three: Lawrence Eugene Frisch  Signature: Citizen of: United States of America  Inventor four: William Gordon Bradford	as amende	ed on	(if applicable);	İ
I/we acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me/us to be material to patentability as defined in 37 CFR 1.56, including material information which became available between the filing date of the prior application and the National or PCT International filing date of the continuation-in-part application, if applicable; and  All statements made herein of my/own knowledge are true, all statements made herein on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and may jeopardize the validity of the application or any patent issuing thereon.  FULL NAME OF INVENTOR(S)  Inventor one: David G. Frank  Signature: Citizen of: Canada  Inventor three: Lawrence Eugene Frisch  Signature: Citizen of: United States of America  Inventor four: William Gordon Bradford	I/we believe that I/we am/a which a patent is sought;	are the original and first inventor	or(s) of the subject matter which is claimed and	for
became available between the filing date of the prior application and the National or PCT Internation which date of the continuation-in-part application, if applicable; and  All statements made herein of my/own knowledge are true, all statements made herein on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and may jeopardize the validity of the application or any patent issuing thereon.  FULL NAME OF INVENTOR(S)  Inventor one: David G. Frank  Signature: Citizen of: Canada  Inventor three: Lawrence Eugene Frisch  Signature: Citizen of: United States of America  Inventor four: William Gordon Bradford	I/ we have reviewed and un amended by any amendme	nderstand the contents of the ab ent specifically referred to above	above-identified application, including the claim	s, as
All statements made herein of my/own knowledge are true, all statements made herein on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and may jeopardize the validity of the application or any patent issuing thereon.  FULL NAME OF INVENTOR(S)  Inventor one: David G. Frank  Signature: Citizen of: Canada  Inventor two: Joseph Caranelli  Signature: Citizen of: Canada  Inventor three: Lawrence Eugene Frisch  Signature: Citizen of: United States of America  Inventor four: William Gordon Bradford	became available between	the filing date of the prior app	of CFR 1.56, including material information	known which al filing
Inventor one: David G. Frank  Signature: Citizen of: Canada  Inventor two: Joseph Caranelli  Signature: Citizen of: Canada  Inventor three: Lawrence Eugene Frisch  Signature: Citizen of: United States of America  Inventor four: William Gordon Bradford	All statements made herei belief are believed to be to false statements and the like	in of my/own knowledge are tru rue, and further that these stat ke are punishable by fine or ima	rue, all statements made herein on informati atements were made with the knowledge tha	on and t willful nd may
Signature:  Citizen of: Canada  Inventor two:  Signature:  Citizen of: Canada  Citizen of: Canada  Inventor three:  Lawrence Eugene Frisch  Signature:  Citizen of: United States of America  Inventor four:  William Gordon Bradford	FULL NAME OF INVENTO	PR(S)		==
Inventor two: Joseph Carenelli  Signature: Citizen of: Canada  Inventor three: Lawrence Eugene Frisch  Signature: Citizen of: United States of America  Inventor four: William Gordon Bradford	Inventor one: David G. F	Frank		
Signature: Citizen of: Canada  Inventor three: Lawrence Eugene Frisch  Signature: Citizen of: United States of America  Inventor four: William Gordon Bradford  Signature:	Signature:	LK ci	Citizen of: <u>Canada</u>	
Inventor three: Lawrence Eugene Frisch  Signature: Citizen of: United States of America  Inventor four: William Gordon Bradford  Signature:	Inventor two: Joseph Ca	renelli		
Signature: Citizen of: United States of America  Inventor four: William Gordon Bradford  Signature:	Signature:	ci ci	Citizen of: Canada	
Inventor four: William Gordon Bradford  Signature:	Inventor three: Lawrence	Eugene Frisch		
Signature			Citizen of: United States of America	
Signature: Citizen of United States of Associa	Inventor four: William Go	ordon Bradford		
			Citizen of: United States of America	
Additional inventors are being named on 1 additional form(s) attached hereto.  additional form(s) attached hereto.  additional form(s) attached hereto.	Additional inventors are being r	named on 1 addition	tional form(s) attached hereto.	

to process) an application. Confidentiality is governed by 35 U.S.C. 125 and 37 CFR 1.63. The information is used by the public to file (and the PTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 1 minute to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



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### DECLARATION (37 CFR 1.63) FOR UTILITY OR DESIGN APPLICATION USING AN **APPLICATION DATA SHEET (37 CFR 1.76)**

As the below na	amed inventor(s), I/we declare that:				
This declaration	is directed to:				
	The attached application, or				
	_	, filed on,			
	as amended on	······································			
which a patent	I/we believe that I/we am/are the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought;				
I/ we have revie amended by an	ewed and understand the contents of the ny amendment specifically referred to ab	e above-identified application, including the claims, as cove;			
became availab	material to patentability as defined i	ates Patent and Trademark Office all information known in 37 CFR 1.56, including material information which application and the National or PCT International filing and			
faise statement	ved to be true, and further that these	e true, all statements made herein on information and statements were made with the knowledge that willful imprisonment, or both, under 18 U.S.C. 1001, and may ssuing thereon.			
FULL NAME OF	F INVENTOR(S)				
Inventor one:	David G. Frank				
Signature:		Citizen of: Canada			
Inventor two:	Joseph Cargnelli				
Signature:		Citizen of: Canada			
Inventor three:	Laywrence Eugene Frisch				
Signature:	Kenne Enjour Frisch	Citizen of: United States of America			
Inventor four:	William Gordon Bradford				
Signature:		Citizen of: United States of America			
Additional inven	tors are being named on 1	additional form(s) attached hereto.			

Burden Hour Statement: This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is used by the public to file (and the PTO bottleti from Satefrient: This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.83. The information is used by the public to file (and the PTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 1 minute to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



As the below named inventor(s), I/we declare that:

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This declaration	n is directed to:	
<u> </u>	The attached applic	notion or
		, filed on,
I/we believe th which a patent	at I/we am/are the original and is sought;	d first inventor(s) of the subject matter which is claimed and for
I/ we have revi amended by a	ewed and understand the con ny amendment specifically refe	itents of the above-identified application, including the claims, as erred to above;
became availa		United States Patent and Trademark Office all information known defined in 37 CFR 1.56, including material information which the prior application and the National or PCT International filing applicable; and
All statements belief are belief false statement	made herein of my/own know	wledge are true, all statements made herein on information and hat these statements were made with the knowledge that willful
FULL NAME O	F INVENTOR(S)	
Inventor one:	Myron Timothy Maxson	
Signature:	Bran Trotty Map	Citizen of: United States of America
Inventor two:	Brian Jeffrey Swanton	
Signature:	BILL	Citizen of: United States of America
Inventor three:	Howard Stirnson Travis	
Signature: 🏑	want Stevison Ten	Citizen of: United States of America
Inventor four:		
Signature:		Citizen of:
Additional inven	tors are being named on	additional form(s) attached hereto.

Burden Hour Statement: This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is used by the public to file (and the PTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 1 minute to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.





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NOVEMBER 05, 2001

BERESKIN & PARR H. SAMUEL FROST BOX 401, 40 KING STREET WEST TORONTO, ONTARIO M5H 3Y2 CANADA

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RECLULATION 18 2001

BERESKIN & PARR





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RECORDATION DATE: 08/30/2001

REEL/FRAME: 012125/0709

NUMBER OF PAGES: 3

Washington, D.C. 20231

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

BRADFORD, WILLIAM GORDON

DOC DATE: 08/16/2001

ASSIGNEE:

DOW CORNING CORPORATION P.O. BOX 994

MIDLAND, MICHIGAN 48686-0994

SERIAL NUMBER: 09854362

PATENT NUMBER:

FILING DATE: 05/15/2001

ISSUE DATE:

DOROTHY BASMA, EXAMINER ASSIGNMENT DIVISION OFFICE OF PUBLIC RECORDS

<u>UNITED STATES</u> <u>ASSIGNMENT</u>

WHEREAS I, William Gordon Bradford, whose full post office address is 5906 Woodview Pass, Midland, Michigan, 48642 U.S.A. have invented certain new and useful improvements in an invention entitled APPARATUS FOR AND METHOD OF FORMING SEALS IN FUEL CELLS AND FUEL CELL STACKS for which an application for United States Letters Patent was filed May 15, 2001 under serial no. 09/854,362,

AND WHEREAS DOW CORNING CORPORATION., a corporation of 2200 West Salzburg Road, P.O. Box 994, Midland, Michigan, 48686-0994, U.S.A., has acquired from me the whole right, title and interest for the United States of America and all other countries in and to the said invention and in and to any Letters Patent that may be obtained therefor, and in and to said application,

AND WHEREAS Hydrogenics Corporation and Dow Corning Corporation have acquired equal undivided shares in the said invention, and in any Letters Patent that may be obtained therefor, and in said application,

NOW THEREFORE, in consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration, the receipt of all of which is hereby acknowledged, I, William Gordon Bradford, by these presents confirm that I have sold, assigned and transferred and do hereby sell, assign and transfer unto the said Dow Corning Corporation, the full and exclusive right to the said invention in the United States of America and all other countries and the entire right, title and interest in and to any and all Letters Patent which may be granted therefor, and the entire right, title and interest in and to said application, and in and to any divisions, continuations, continuations-in-part and extensions of said application, together with the right to claim the benefit of the right of priority provided by the International Convention for the Protection of Industrial Property based on said application for United States Letters Patent.

I agree that I will without further consideration do all such things and execute all such documents as may be necessary or desirable to obtain and maintain patents for said invention and for additions and modifications thereto in any and all countries, and to vest title thereto in said assignee, its successors, assigns and legal representatives or nominees.

I hereby authorize and request the Commissioner of Patents and Trademarks to issue said Letters Patent to said Hydrogenics Corporation and Dow Corning Coporation, the assignees of the entire right, title and interest in and to the same, as equal undivided shares, for their sole use and benefit, and for the use and benefit of its successors and assigns, to the full end of the term for which Letters Patent may be granted as fully and entirely as the same would have been held by me had this assignment and sale not been made.

Executed this 6 day of Cugust 2001, at \_\_\_\_\_\_ Midland, Michigan, U.S.A..

///www.//./Executive
William Gordon Bragliord

Cheryl A. Castle Witness

Cheryl A. Castle

NOTARY PUBLIC, SAGINAW COUNTY, MICHIGAN

MY COMMISSION EXPIRES JUNE 28, 2004

ACTING IN BOLL COLUMN





UNITED STATES DEPARTMENT OF COMMERCE Patent and Trademark Office

ASSISTANT SECRETARY AND COMMISSIONER OF PATENTS AND TRADEMARKS Washington, D.C. 20231

AUGUST 06, 2001

**PTAS** 

\*101727976A\*

BERESKIN & PARR H. SAMUEL FROST BOX 401, 40 KING STREET WEST TORONTO, ONTARIO M5H 3Y2 CANADA

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RECORDATION DATE: 05/15/2001

REEL/FRAME: 011816/0665

NUMBER OF PAGES: 5

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

FRANK, DAVID G.

DOC DATE: 05/01/2001

ASSIGNOR:

CARGNELLI, JOSPEH

DOC DATE: 05/01/2001

ASSIGNEE:

HYDROGENICS CORPORATION 5985 MCLAUGHLIN ROAD MISSISSAUGA, ONTARIO L5R 1B8,

CANADA

PATENT NUMBER:

SERIAL NUMBER: 09854362

FILING DATE: 05/15/2001

ISSUE DATE:

SHARON BROOKS, EXAMINER ASSIGNMENT DIVISION OFFICE OF PUBLIC RECORDS

#### <u>ASSIGNMENT</u>

WHEREAS WE, David G. Frank, Joseph Cargnelli, Lawrence Eugene Frisch, William Gordon Bradford, Myron Timothy Maxson, Brian Jeffrey Swanton, Howard Stimson Travis, whose full post office addresses are 25 Cleethorpes Boulevard, Scarborough, Ontario, Canada, M1S 2S7; 18 Fairhaven Drive, Toronto, Ontario, Canada, M9P 2P6; 2203 Old Pine Trail, Midland, MI 48642, U.S.A.; 5906 Woodview Pass, Midland, MI 48642, U.S.A.; 600 Cadman Point, Sanford, MI 48657, U.S.A.; 2824 Wieneke Road, Saginaw, MI 48603, U.S.A.; and 4330 East Monroe Road, Midland, MI 48642, U.S.A., have invented certain new and useful improvements in an invention entitled APPARATUS FOR AND METHOD OF FORMING SEALS IN FUEL CELLS AND FUEL CELL STACKS for which an application for United States Letters Patent was executed by us concurrently herewith under the above title,

WHEREAS HYDROGENICS CORPORATION, a corporation of 5985 McLaughlin Road, Mississauga, Ontario, Canada, L5R 1B8, has acquired from David Frank and Joseph Cargnelli their whole right, title and interest for the United States of America and all other countries in and to the said invention and in and to any Letters Patent that may be obtained therefor, and in and to said application,

WHEREAS DOW CORNING CORPORATION, a corporation of 2200 West Salzburg Road, P.O. Box 994, Midland, Michigan, U.S.A. 48686-0994, has acquired from Lawrence Eugene Frisch, William Gordon Bradford, Myron Timothy Maxson, Brian Jeffrey Swanton and Howard Stimson Travis their whole right, title and interest for the United States of America and all other countries in and to the said invention and in and to any Letters Patent that may be obtained therefor, and in and to said application,

AND WHEREAS Hydrogenics Corporation and Dow Corning Corporation have acquired equal unidvided shares in the said invention, and in any Letters Patent that may be obtained therefor, and in said application,

NOW THEREFORE, in consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration, the receipt of all of which is hereby acknowledged, we, **David G. Frank and Joseph Cargnelli**, by these presents confirm that we have sold, assigned and transferred and do hereby sell, assign and transfer unto the said **Hydrogenics Corporation**, our full and exclusive right to the said invention in the United States of America and all other countries and our entire right, title and interest in and to any and all Letters Patent which may be granted therefor, and our entire right, title and interest in and to said application, and in and to any divisions, continuations, continuations-in-part and extensions of said application, together with the

right to claim the benefit of the right of priority provided by the International Convention for the Protection of Industrial Property based on said application for United States Letters Patent.

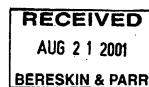
AND, in consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration, the receipt of all of which is hereby acknowledged, we, Lawrence Eugene Frisch, William Gordon Bradford, Myron Timothy Maxson, Brian Jeffrey Swanton and Howard Stimson Travis, by these presents confirm that we have sold, assigned and transferred and do hereby sell, assign and transfer unto the said Dow Corning Corporation, our full and exclusive right to the said invention in the United States of America and all other countries and our entire right, title and interest in and to any and all Letters Patent which may be granted therefor, and our entire right, title and interest in and to said application, and in and to any divisions, continuations, continuations-in-part and extensions of said application, together with the right to claim the benefit of the right of priority provided by the International Convention for the Protection of Industrial Property based on said application for United States Letters Patent. We agree that we will without further consideration do all such things and execute all such documents as may be necessary or desirable to obtain and maintain patents for said invention and for additions and modifications thereto in any and all countries, and to vest title thereto in said assignee, its successors, assigns and legal representatives or nominees.

We hereby authorize and request the Commissioner of Patents and Trademarks to issue said Letters Patent to said Hydrogenics Corporation and Dow Corning Corporation, the assignees of our entire right, title and interest in and to the same, as equal undivided shares, for their sole use and benefit, and for the use and benefit of their successors and assigns, to the full end of the term for which Letters Patent may be granted as fully and entirely as the same would have been held by us had this assignment and sale not been made.

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	- Zk	David G. Frank	
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	Myro	n Timothy Ma	xson	-
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		Howard Stims	on Travis





UNITED STATES DEPARTMENT OF COMMERCE Patent and Trademark Office ASSISTANT SECRETARY AND COMMISSIONER

OF PATENTS AND TRADEMARKS Washington, D.C. 20231

UGUST 06, 2001

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BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

FRISCH, LAWRENCE EUGENE

DOC DATE: 05/10/2001

ASSIGNOR:

MAXSON, MYRON TIMOTHY

DOC DATE: 05/10/2001

ASSIGNOR:

SWANTON, BRIAN JEFFREY

DOC DATE: 05/10/2001

ASSIGNOR:

TRAVIS, HOWARD STIMSON

DOC DATE: 05/10/2001

ASSIGNEE:

DOW CORNING CORPORATION 2200 WEST SALZBURG ROAD P.O. BOX 994 MIDLAND, MICHIGAN 48686-0994

SERIAL NUMBER: 09854362

PATENT NUMBER:

FILING DATE: 05/15/2001

ISSUE DATE:

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TONYA LEE, EXAMINER ASSIGNMENT DIVISION OFFICE OF PUBLIC RECORDS

### **ASSIGNMENT**

WHEREAS WE, David G. Frank, Joseph Cargnelli, Lawrence Eugene Frisch, William Gordon Bradford, Myron Timothy Maxson, Brian Jeffrey Swanton, Howard Stimson Travis, whose full post office addresses are 25 Cleethorpes Boulevard, Scarborough, Ontario, Canada, M1S 2S7; 18 Fairhaven Drive, Toronto, Ontario, Canada, M9P 2P6; 2203 Old Pine Trail, Midland, MI 48642, U.S.A.; 5906 Woodview Pass, Midland, MI 48642, U.S.A.; 600 Cadman Point, Sanford, MI 48657, U.S.A.; 2824 Wieneke Road, Saginaw, MI 48603, U.S.A.; and 4330 East Monroe Road, Midland, MI 48642, U.S.A., have invented certain new and useful improvements in an invention entitled APPARATUS FOR AND METHOD OF FORMING SEALS IN FUEL CELLS AND FUEL CELL STACKS for which an application for United States Letters Patent was executed by us concurrently herewith under the above title,

WHEREAS HYDROGENICS CORPORATION, a corporation of 5985 McLaughlin Road, Mississauga, Ontario, Canada, L5R 1B8, has acquired from David Frank and Joseph Cargnelli their whole right, title and interest for the United States of America and all other countries in and to the said invention and in and to any Letters Patent that may be obtained therefor, and in and to said application,

WHEREAS DOW CORNING CORPORATION, a corporation of 2200 West Salzburg Road, P.O. Box 994, Midland, Michigan, U.S.A. 48686-0994, has acquired from Lawrence Eugene Frisch, William Gordon Bradford, Myron Timothy Maxson, Brian Jeffrey Swanton and Howard Stimson Travis their whole right, title and interest for the United States of America and all other countries in and to the said invention and in and to any Letters Patent that may be obtained therefor, and in and to said application,

AND WHEREAS **Hydrogenics Corporation** and **Dow Corning Corporation** have acquired equal unidvided shares in the said invention, and in any Letters Patent that may be obtained therefor, and in said application,

NOW THEREFORE, in consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration, the receipt of all of which is hereby acknowledged, we, **David G. Frank and Joseph Cargnelli**, by these presents confirm that we have sold, assigned and transferred and do hereby sell, assign and transfer unto the said **Hydrogenics Corporation**, our full and exclusive right to the said invention in the United States of America and all other countries and our entire right, title and interest in and to any and all Letters Patent which may be granted therefor, and our entire right, title and interest in and to said application, and in and to any divisions, continuations, continuations-in-part and extensions of said application, together with the

right to claim the benefit of the right of priority provided by the International Convention for the Protection of Industrial Property based on said application for United States Letters Patent.

AND, in consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration, the receipt of all of which is hereby acknowledged, we, Lawrence Eugene Frisch, William Gordon Bradford, Myron Timothy Maxson, Brian Jeffrey Swanton and Howard Stimson Travis, by these presents confirm that we have sold, assigned and transferred and do hereby sell, assign and transfer unto the said Dow Corning Corporation, our full and exclusive right to the said invention in the United States of America and all other countries and our entire right, title and interest in and to any and all Letters Patent which may be granted therefor, and our entire right, title and interest in and to said application, and in and to any divisions, continuations, continuations-in-part and extensions of said application, together with the right to claim the benefit of the right of priority provided by the International Convention for the Protection of Industrial Property based on said application for United States Letters Patent.We agree that we will without further consideration do all such things and execute all such documents as may be necessary or desirable to obtain and maintain patents for said invention and for additions and modifications thereto in any and all countries, and to vest title thereto in said assignee, its successors, assigns and legal representatives or nominees.

We hereby authorize and request the Commissioner of Patents and Trademarks to issue said Letters Patent to said **Hydrogenics Corporation and Dow Corning Corporation**, the assignees of our entire right, title and interest in and to the same, as equal undivided shares, for their sole use and benefit, and for the use and benefit of their successors and assigns, to the full end of the term for which Letters Patent may be granted as fully and entirely as the same would have been held by us had this assignment and sale not been made.

	EXECUTED this _	day of	, 2001, at
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		David G	. Frank
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	Josep	h Cargnelli
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	EXECUTED this /o day of /// , 2001, at /// // // // // // // // // // // // /
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	Brian Jeffrey Swanton
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	EXECUTED this 7 day of May, 2001, at Midland, MI
,	— Howard Stimson Travis
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